

HOUSE BILL 176

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8lr0531

By: **Delegates Aumann, Boteler, McComas, McDonough, Riley, and Stocksdale**
Introduced and read first time: January 21, 2008
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Workforce Shortage Student Assistance Grants – Base Realignment and**
3 **Closure (BRAC) Related Businesses**

4 FOR the purpose of making certain students who pledge to work for Base Realignment
5 and Closure (BRAC)–related businesses in certain fields eligible for workforce
6 shortage student assistance grants under certain circumstances; defining a
7 certain term; requiring the Maryland Higher Education Commission to
8 designate BRAC–related businesses, make certain determinations and
9 recommendations regarding those businesses, and take certain actions
10 regarding those businesses; requiring the Advisory Council on Workforce
11 Shortage to identify and make certain recommendations about BRAC–related
12 businesses; altering the membership of the Advisory Council; expanding the
13 eligible workforce shortage fields under the grant program; requiring a grant
14 recipient to agree to perform a certain service obligation with a BRAC–related
15 business; authorizing the Commission to establish a certain account to receive
16 certain gifts for certain purposes; and generally relating to workforce shortage
17 student assistance grants for students who pledge to work for certain
18 BRAC–related businesses.

19 BY repealing and reenacting, with amendments,
20 Article – Education
21 Section 18–708
22 Annotated Code of Maryland
23 (2006 Replacement Volume and 2007 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 MARYLAND, That the Laws of Maryland read as follows:

26 **Article – Education**

27 18–708.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (a) (1) In this section the following words have the meanings indicated.

2 (2) “Advisory Council” means the Advisory Council on Workforce
3 Shortage.

4 (3) **“BRAC-RELATED BUSINESS” MEANS A BUSINESS**
5 **ESTABLISHED OR EXPANDED AT OR AROUND ABERDEEN PROVING GROUND IN**
6 **HARFORD COUNTY OR FORT MEADE IN ANNE ARUNDEL COUNTY AS A RESULT**
7 **OF THE RECOMMENDATIONS TO THE U.S. CONGRESS BY THE 2005 COMMISSION**
8 **ON BASE REALIGNMENT AND CLOSURE (BRAC).**

9 [(3)] (4) “Eligible institution” means a public or private institution of
10 higher education in this State that possesses a certificate of approval from the
11 Commission.

12 [(4)] (5) “Grant” means the Workforce Shortage Student Assistance
13 grant.

14 [(5)] (6) “Public good or benefit” means service [to]:

15 (I) **TO** low-income or underserved residents or areas of the
16 State in an occupation in the public sector or in an organization, institution,
17 association, society, or corporation that is exempt from taxation under § 501(c)(3) or (4)
18 of the Internal Revenue Code of 1986; **OR**

19 (II) **AS AN EMPLOYEE OF A BRAC-RELATED BUSINESS.**

20 (b) There is a program of Workforce Shortage Student Assistance grants
21 under this section for students who pledge to work in fields of critical shortage in the
22 State on completion of their studies, **INCLUDING POSITIONS REQUIRING**
23 **PROFICIENCY IN MATHEMATICS, SCIENCE, TECHNOLOGY, OR LANGUAGES FOR**
24 **BRAC-RELATED BUSINESSES.**

25 (c) The purpose of the program is to:

26 (1) Provide financial assistance to students enrolled at institutions of
27 higher education in the State; and

28 (2) Address the workforce shortage needs of the State.

29 (d) A recipient of a Workforce Shortage Student Assistance grant under this
30 section shall:

31 (1) Be a resident of the State;

1 (2) Be selected by the Office from qualified applicants;

2 (3) Sign a letter of intent to enroll at an eligible institution in the
3 State in an eligible program as specified for each field in which there is a critical
4 shortage in this State as provided in this section;

5 (4) Sign a letter of intent to perform the service obligation on
6 completion of the recipient’s required studies;

7 (5) Accept any other conditions attached to the grant;

8 (6) Satisfy any additional criteria the Commission may establish; and

9 (7) After completion of studies in an eligible program, perform the
10 service obligation as specified for each field in which there is a critical shortage, as
11 provided in this section.

12 (e) (1) Except as provided in paragraph (5) of this subsection, the
13 Commission shall on a biennial basis:

14 (i) Identify workforce shortage fields in the State;

15 (ii) Designate eligible workforce shortage fields under the grant
16 program;

17 **(III) DESIGNATE BRAC–RELATED BUSINESSES;** and

18 ~~[(iii)]~~ **(IV)** Remove from the grant program:

19 **1.** [any] **ANY** field that the Commission determines no
20 longer qualifies as a workforce shortage; **OR**

21 **2. ANY BUSINESS THAT THE COMMISSION**
22 **DETERMINES WAS NOT OR IS NO LONGER DEEMED TO BE A BRAC–RELATED**
23 **BUSINESS.**

24 (2) The Secretary shall appoint an Advisory Council on Workforce
25 Shortage to:

26 (i) Identify workforce shortage fields in the State; [and]

27 **(II) IDENTIFY BRAC–RELATED BUSINESSES; AND**

28 ~~[(ii)]~~ **(III)** Recommend to the Commission:

1 1. Priority workforce shortage fields **AND**
2 **BRAC-RELATED BUSINESSES** to be included in the grant program; and

3 2. The removal of fields **AND BRAC-RELATED**
4 **BUSINESSES** that in the Advisory Council's judgment no longer qualify as workforce
5 shortage fields **OR BUSINESSES**.

6 (3) In making recommendations to the Commission, the Advisory
7 Council shall consider whether a workforce shortage field **OR BRAC-RELATED**
8 **BUSINESS** provides a public good or benefit to the citizens of Maryland.

9 (4) The Advisory Council shall include the following members:

10 (i) The Secretary of Higher Education or designee;

11 (ii) The Secretary of Labor, Licensing, and Regulation or
12 designee;

13 (iii) One representative from the Governor's Workforce
14 Investment Board, appointed by the Governor;

15 (iv) The Secretary of Business and Economic Development or
16 designee;

17 (v) The Secretary of Health and Mental Hygiene or designee;

18 (vi) The State Superintendent of Schools or designee;

19 **(VII) THE CHAIRMAN OF THE JOINT COMMITTEE ON BASE**
20 **REALIGNMENT AND CLOSURE OR DESIGNEE;**

21 [[vii]] **(VIII)** One representative of the Senate of Maryland,
22 appointed by the President of the Senate;

23 [[viii]] **(IX)** One representative of the Maryland House of
24 Delegates, appointed by the Speaker of the House;

25 [[ix]] **(X)** Two representatives from the University System of
26 Maryland, appointed by the Chancellor;

27 [[x]] **(XI)** The President of Morgan State University or
28 designee;

29 [[xi]] **(XII)** The President of St. Mary's College or designee; and

1 [(xii)] (XIII) Representatives nominated by the following
2 organizations and appointed by the Secretary of Higher Education:

- 3 1. One representative from the Maryland Chamber of
4 Commerce;
- 5 2. One representative from the Washington Board of
6 Trade;
- 7 3. One representative from the Greater Baltimore
8 Committee;
- 9 4. Two representatives from the Maryland Independent
10 College and University Association;
- 11 5. Two representatives from the Maryland Association of
12 Community Colleges;
- 13 6. One representative from the Maryland Association of
14 Nonprofit Associations; and
- 15 7. One representative from the Financial Assistance
16 Advisory Council representing a financial aid office at an institution of higher
17 education.

18 (5) (i) Except as provided in subparagraph (ii) of this paragraph,
19 the following workforce shortage fields shall be included in the grant program:

- 20 1. School teachers (the grant to be known as the Sharon
21 Christa McAuliffe Memorial Teacher Scholarship);
- 22 2. Nurses;
- 23 3. Child care providers;
- 24 4. Developmental disabilities, mental health, child
25 welfare, and juvenile justice providers (the grant to be known as the Ida G. and L.
26 Leonard Ruben Scholarships);
- 27 5. Physical and occupational therapists and assistants;
28 [and]
- 29 6. Public servants (the grant to be known as the William
30 Donald Schaefer Scholarship); **AND**

1 **7. INDIVIDUALS SEEKING DEGREES OR TRAINING IN**
2 **MATHEMATICS, SCIENCE, TECHNOLOGY, OR LANGUAGES FOR EMPLOYMENT BY**
3 **BRAC-RELATED BUSINESSES.**

4 (ii) The Commission may remove a shortage field specified in
5 subparagraph (i) of this paragraph if in the Commission's judgment the field **OR**
6 **BRAC-RELATED BUSINESS** no longer qualifies as a workforce shortage field.

7 (6) A grant recipient in a workforce shortage field **OR**
8 **BRAC-RELATED BUSINESS** that is removed from the grant program may continue
9 to receive renewal awards under the program.

10 (f) Each fiscal year, the Commission shall determine the number of grants to
11 be awarded in eligible workforce shortage fields, **INCLUDING TO INDIVIDUALS**
12 **ASSOCIATED WITH BRAC-RELATED BUSINESSES**, based on the:

13 (1) Priority of the workforce shortage field;

14 (2) Severity of the workforce shortage in the field; and

15 (3) Availability of funds.

16 (g) (1) The Office shall annually select eligible students and offer a grant
17 to each student selected to be used at an eligible institution of the student's choice.

18 (2) Eligible students shall be selected based on academic
19 accomplishment and financial need, as determined by standards established and
20 approved by the Commission.

21 (3) Each grant shall be renewable for a maximum of 5 years
22 subsequent to the original grant if the recipient:

23 (i) Continues to meet the qualifications specified in subsection
24 (d) of this section; and

25 (ii) Meets satisfactory academic progress standards as
26 determined by the eligible institution.

27 (h) A grant recipient:

28 (1) May be enrolled at an eligible institution on a part-time or
29 full-time basis;

30 (2) Shall earn at least 12 undergraduate or 9 graduate credit hours in
31 each academic year, including summer sessions;

1 (3) Except as provided in paragraph (4) of this subsection, shall be an
2 undergraduate student at an eligible institution; and

3 (4) May be a graduate student if the Office determines that the
4 shortage field requires employees with a graduate level education.

5 (i) (1) In this subsection, “cost of attendance” means the equivalent
6 annual tuition and mandatory fees of a resident undergraduate student at the 4–year
7 public institution of higher education within the University System of Maryland, other
8 than the University of Maryland University College and University of Maryland,
9 Baltimore, with the highest annual expenses for a full–time resident undergraduate.

10 (2) Subject to paragraphs (3), (4), and (5) of this subsection, the
11 Commission shall establish in guidelines the annual grant awards under this section.

12 (3) Annual grant awards shall be within the following ranges:

13 (i) For a part–time student attending a 2–year eligible
14 institution – \$1,000 and 12.5% of cost of attendance;

15 (ii) For a full–time student attending a 2–year eligible
16 institution – \$2,000 and 25% of cost of attendance;

17 (iii) For a part–time student attending a 4–year eligible
18 institution – \$2,000 and 25% of cost of attendance; and

19 (iv) For a full–time student attending a 4–year eligible
20 institution – \$4,000 and 50% of cost of attendance.

21 (4) For a student taking courses during a summer session to meet the
22 minimum number of credit hours for full–time or part–time status, the Commission
23 shall distribute grant awards to the student in the spring and summer sessions in
24 amounts it determines to be appropriate.

25 (5) A student who is enrolled in an academic program that includes a
26 mandatory summer academic session as part of the approved curriculum may receive
27 an additional award not to exceed \$1,000 per calendar year.

28 (j) The grant award may be used at any eligible institution for educational
29 expenses as defined by the Commission, including tuition, mandatory fees, and room
30 and board.

31 (k) (1) A grant recipient shall perform a service obligation in the
32 recipient’s field of critical shortage **OR AS AN EMPLOYEE OF A BRAC–RELATED**
33 **BUSINESS** in:

1 (i) A full-time position at a rate of 1 year for each year that the
2 recipient receives a grant awarded under this section; or

3 (ii) A part-time position at a rate of 2 years for each year that
4 the recipient receives a grant awarded under this section.

5 (2) The Commission may establish alternative service obligation
6 requirements for designated workforce shortage fields to address statewide and
7 regional needs.

8 (1) (1) A grant recipient shall repay the Commission the funds received as
9 set forth in § 18-112 of this title if the recipient does not:

10 (i) Earn at least 12 undergraduate or 9 graduate credit hours in
11 each academic year in which the student receives assistance, including summer
12 sessions;

13 (ii) Complete the specified degree, attain the licensure or
14 certification required, or fulfill other requirements as provided in this section; or

15 (iii) Perform the service obligation required under subsection (k)
16 of this section.

17 (2) The Office shall waive the repayment of a grant award at a rate of:

18 (i) 1 year for each year that the recipient performs the service
19 obligation on a full-time basis; or

20 (ii) 6 months for each year that the recipient performs the
21 service obligation on a part-time basis.

22 (3) A recipient shall begin repayment at any time during the period
23 that the recipient is no longer performing the service obligation.

24 (4) A recipient may delay repayment as long as the recipient remains
25 a student enrolled at least part-time in a degree-granting program.

26 (5) Except as otherwise provided in this section, repayment shall be
27 made to the State within 6 years after the repayment period begins and shall follow a
28 repayment schedule established by the Office.

29 (6) The Office may waive or defer repayment in the event of disability
30 or extended sickness which prevents the recipient from fulfilling the service obligation
31 required under this section.

32 (7) The Office shall grant a deferment from the service obligation
33 required under this section to:

1 (i) An individual who has been assigned military duty outside
2 the State; or

3 (ii) The spouse of an individual who has been assigned military
4 duty outside the State.

5 (m) (1) This subsection applies to recipients of the William Donald
6 Schaefer Scholarship specified in subsection (e)(5) of this section.

7 (2) The Commission, in collaboration and consultation with the
8 William Donald Schaefer Scholarship Advisory Council, shall annually select eligible
9 students and offer grants to students who demonstrate outstanding potential for and
10 who plan to pursue a career in public service.

11 (3) In making William Donald Schaefer Scholarship awards under this
12 section, the Commission shall endeavor to select award recipients who are
13 representative of the State's rich cultural, geographic, racial, ethnic, and gender
14 diversity.

15 (4) Each individual awarded a William Donald Schaefer Scholarship
16 under this section must have indicated and demonstrated to the Commission and to
17 the William Donald Schaefer Scholarship Advisory Council a serious intent to enter
18 public service on the completion of the student's educational program.

19 (n) (1) There is a Workforce Shortage Student Assistance Grant Fund in
20 the Commission.

21 (2) The Commission:

22 (i) May accept any gift or grant from any person or corporation
23 for the Workforce Shortage Student Assistance Grant Fund;

24 **(II) MAY ESTABLISH A SUBACCOUNT FOR GIFTS FROM**
25 **BRAC-RELATED BUSINESSES FOR THE PURPOSES OF THIS PROGRAM;**

26 [(ii)] **(III)** Shall use any gift or grant that it receives for a grant
27 award from the Fund; and

28 [(iii)] **(IV)** Shall deposit any gift or grant that it receives for the
29 Fund with the State Treasurer in a nonbudgeted account.

30 (3) (i) At the end of the fiscal year, the Commission shall prepare
31 an annual report on the Workforce Shortage Student Assistance Grant Fund that
32 includes an accounting of all financial receipts and expenditures to and from the Fund.

33 (ii) The Commission shall submit a copy of the report to the
34 General Assembly as provided under § 2-1246 of the State Government Article.

1 (o) A recipient may hold a Workforce Shortage Student Assistance grant and
2 any other State grant or scholarship awarded by the Office provided that the total of
3 all grants and scholarships does not exceed:

4 (1) The student's total cost of attendance, as certified by the
5 institution where the student is enrolled; and

6 (2) The cost of attendance, as defined in subsection (i) of this section.

7 (p) Funds for the Workforce Shortage Student Assistance grant program
8 shall be as provided in the annual budget of the Commission by the Governor.

9 (q) The Commission shall adopt guidelines or regulations necessary to
10 implement this section.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2008.